

From: Toni Stein
To: [Esquivel, Jeffery@CalRecycle](mailto:Esquivel_Jeffery@CalRecycle)
Subject: Please do not approve the proposed Solid Waste Facility Permit (SWFP) for the Davis Street Transfer Station
Date: Tuesday, August 01, 2017 1:24:33 PM
Attachments: [Exhibit 1 Stein opposition Letter to AC DOEH LEA 6-5-17.pdf](#)
[Exhibit 2 QuestionandCommentandSupportLettersSummary from AC DOEH.pdf](#)
[Stein Opposition to CalRecycle approval of Proposed SWFP for DSTS 8-1-17.pdf](#)

Jeffery

Attached is my letter of opposition.

Please do not approve the proposed Solid Waste Facility Permit (SWFP) for the Davis Street Transfer Station.

1. **DSTS Project violates the 2011 CEQA allowable limits.**
2. **The Proposed SWFP fails to list all of the CEQA documents**
3. **AD facility doesn't include fire safe penetration protection**
4. **Missing letter of opposition and fake letters of project support**
5. **Proposed SWFP fails to include DSTS relevant Air District documents**

Please review my entire letter that is attached and please do not approve this proposed SWFP for DSTS.

Sincerely

Antoinette "Toni" Stein, PhD

Berkeley, CA

tweil@igc.org

650-823-7662

510-525-2944

<> ?/! <> ?/! <> ?/! <> ?/! <>

Do you know?/!: Large health disparities exist in Berkeley, CA; African Americans are twice as likely to live in poverty and twice as likely to die in a given year from any condition .

-This is part of a public education campaign on Berkeley health disparities.

-This campaign is brought to you by the Friends of the Community Health Commission. For more information, go to <https://www.facebook.com/FriendsOfCHC>

or friendsofthehc@gmail.com

Exhibit 1

From: [Toni Stein](#)
To: ["Esquivel, Jeffery@CalRecycle"](#)
Subject: FW: Please do not approve the Revised Solid Waste Facility Permit (SWFP) application for the Davis Street Transfer Station (DSTS).
Date: Wednesday, July 26, 2017 1:00:00 PM
Attachments: [Pages from ssc presentations 032017-pdf.pdf](#)
[Antoinette Stein CV 3-31-2017 .pdf](#)

These are my comments with two attachments that are not posted properly

From: Toni Stein [mailto:tweil@igc.org]
Sent: Monday, June 5, 2017 7:39 PM
To: 'Surdilla, Arthur, Env. Health' <arthur.surdilla@acgov.org>
Cc: 'Arthur Boone' <arboone3@gmail.com>
Subject: Please do not approve the Revised Solid Waste Facility Permit (SWFP) application for the Davis Street Transfer Station (DSTS).

Please do not approve the Revised Solid Waste Facility Permit (SWFP) application for the Davis Street Transfer Station (DSTS).

I am an environmental with a PHD (see my CV attached). I have expert knowledge of processes and systems and on waste management, air quality and other environmental impacts.

The project before you today should not be approved because it has failed to have gone through the proper CEQA review and approval and should not be approved until the project follows the requirements of CEQA.

Importantly clearly there are substantial changes that have been made to the project since its CEQA review adding new and significant environmental impacts.

KEY TO THIS IS THE FACT THAT THE project description in 2010-11 clearly stated that "Between 250 and 350 tpd will be composted on site, and the rest of the material will be shipped for composting off site." –recall that this project stipulation was agreed upon in the heated 2010-11 CEQA process.

Its totally unethical of the AC Sept of Health to look the other way and not uphold the CEQA project description.

It is improper of your agency to allow the applicant to change the project description in this way after it has finished CEQA review especially when it was stipulated in writing in the 2010-11 project description.

The project description today in 2017 states that instead of composting 250 to 350 tons per day it now is a project that will compost 1000 tons per day onsite;

this is a significant change to the project that requires proper CEQA review.

Also, there has been significant changes of circumstances at the San Leandro Site under which this project is being undertaken, namely the abutting City of Oakland Airport is now proposing along with this DSTS project to bring forth a major airport expansion; these two projects together create

significant cumulative impacts on the EJ community living side by side that were not factored into the original project CEQA review.

And also there is now significant new information known about the project that was not known and could not have been known at the time the negative declaration was adopted, that I believe requires major revisions of the negative declaration due to new significant environmental effects. Namely, the project is now proposed to include two 135 feet long 35 feet diameter ROTARY DRUM REACTORS AND AN OREX and a separate 1.5-acre "Zero Waste Energy SMARTFERM" patented Anaerobic Digestion facility that EACH have significant environmental impacts not covered in the 2010-11 CEQA.

The stationary source emissions from all of the indoor engines should be properly analyzed and mitigated none of which has been currently done for all of the new equipment added. There is significant concern that the BTEX emissions from the diesel engine sources inside the buildings has not been fully reviewed analyzed, or mitigated for both exposures to visitors, workers and the neighborhood.

There is significant concern that the proposed "Zero Waste Energy SMARTFERM" patented Anaerobic Digestion facility equipment in this newly proposed site has the propensity to cause local odors as has been the reported case of this same equipment that has been constructed in Milpitas CA where for two years in a row there were more than 3000 odor complaints have amassed (see attached report from the BAAQMD). We believe that there should be real time fence line monitoring of the Total VOC emissions to monitor and avoid neighborhood complaints of odors from this project. Such devices are not expensive and should be operated to stop the site from producing VOC odors that may cause asthma attacks especially of children at the Garfield Elementary school that is less than a mile away from the facility.

Air quality impacts from possible outbreaks of legionella organisms or other disease causing bacteria, viruses, or spores from the proposed processing and composting of food waste and water handling, storage and use including misting should be carefully analyzed and proper mitigations and monitoring included none of which as yet been made for the 2017 proposed project. Testing and monitoring of the emissions from the biofilter should at a minimum be included. The project description with the added capacity states that THE USE OF ADDITIONAL odorants will be used but fails to disclose what exact odorants. It is unclear if the proposed odorants are asthma-gens listed on the AOEC asthmagen list. The public has a right to know what chemicals are being released from this project cite and this should be included in the CEQA documents.

Please note that the new project includes many new details to the project that were not analyzed in the CEQA documents. The applicants have claimed that there are no new truck trips to the project yet the Transfer Processing Report clearly states that this new project includes the transfer of materials from the process to offsite locations yet none of these truck trips are included in the traffic analysis done in 2010-11 CEQA review. Traffic and truck trips need to be properly analyzed and mitigated.

Importantly the air pollution control device that is in the project description in the 2010-11 project documents was sized to control the emissions from the then described project that did not include

these other emission sources. There also was no alternatives analysis made of these new parts of the project because they have not gone through any such CEQA analysis. The greater amount of tons per day composting requires that the greater water emissions from the composting be properly reviewed for environmental impacts especially for disease control.

The 2010-11 project did not include in its description the processing of rubbish to compost the food in the rubbish instead it was a project to process source separated food waste with green waste to compost and create clean soil amendment. The new project is instead creating contaminated processed rubbish mixed with food waste and green waste and is wrecking the original project quality. Grinding up of bagged garbage/rubbish should not be permitted to be used to contaminate clean source separated food waste.

There are serious concerns of shredding up waste containing PVC materials with food as plasticizers and other serious contaminants will contaminate good compost that may mistakenly be used for growing food if it is given to people in the County of Alameda. If this project is approved it should be stipulated that the materials must be labeled NOT FOR FOOD GROWING USE. Such enforcement will not be feasible and therefore this project should not be approved as it is a source of contamination for our State and Country.

Best,

Antoinette "Toni" Stein, PhD

Berkeley, CA

tweil@igc.org

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or friendsofthechc@gmail.com



AGENDA: 4

Milpitas/San Jose Waste Facilities Update

**Stationary Source Committee
March 20, 2017**

**Wayne Kino
Director of Enforcement**



Overview

- Changing Solid Waste Industry
- Odor Impacts
- Milpitas/San Jose Facilities
- 2016 Highlights & Ongoing Improvements
- Challenges & Next Steps





Changing Solid Waste Industry

California's Waste Diversion Priorities

- 75% Diversion from Landfills by 2020
- Diverting Organics Away from Landfills
- Increase Composting Capacity
- Expand Recycling Infrastructure
- Incorporate New Technologies for Processing Organics



-



Slide 4



Facilities and Sources



LEGEND

- A **A: Newby Island Resource Recovery Park**
 - A1 - Sanitary Landfill
 - A2 - Material Recovery Facility (MRF)
 - A3 - Compost Facility
- B **B: Zero Waste Energy Development Company (ZWED)**
- C **C: San Jose - Santa Clara Regional Wastewater Facility**

Davis Street Transfer Station
Public Informational Meeting Question and Comment Summary
June 1, 2017

Exhibit 2

Questions from the Public:

1. *Question: How will air be filtered? What scent/odor would come out and what are you going to do?*

Waste Management's Response:

Bio filter will address the odor. Bio filter uses wood chips as the biological media.

2. *Question: So we still don't know what's going to be the smell?*

Waste Management's Response:

Would smell like the forest, like wood chips. These wood chips will come from Northern California.

3. *Question: Will green waste still go outside?*

Waste Management's Response:

Not even for a short time. If the building is full, or if there's an equipment breakdown, then trucks will re-route inside the Transfer Building. The OMRF/OMCF is a highly controlled building.

4. *Question: What tonnage are you receiving today?*

Waste Management's Response:

About 3,500 tons per day.

5. *Question: Will there be an issue with the noise?*

Waste Management's Response:

Today, there are trucks running materials the same time, from 5 am to 11 pm. There will be no noticeable difference, maybe lesser noise since the buildings are enclosed. Waste Management takes things very seriously. WM is always striving to do a better job, putting activities inside the building. Other buildings are open, OMRF and OMCf are not. There is new landscaping and the buildings have a new style and perspective. We are very proud of this project. Our partners in Europe have a lot of experience. WM is taking things to ensure employees safety – they are in an enclosed area, no picking, etc.

6. *Question: Will green waste be directly unloaded in the building? Will there be outside storage? How close is the building to the park (Oyster Bay)?*

Waste Management's Response:

About 150 ft. from boundary, to the North approximately 1,500 ft.

7. *Question: Documents on the website shows OMRF different from the presentation. Rotary drum reactor was also not discussed in today's presentation; electric equipment, etc. Why are we accepting wastes from other cities?*

Waste Management's Response:

Oakland materials go to the Dry Waste MRF. In the future, the Dry Waste is not designed to process in the same capacity. Keep separate, not mixed with other materials. Materials are isolated. All equipment are electric, lane turner, loader, etc. Others (excavator/loaders/forklifts) are propane or natural gas.

8. Question: *The (excavator/loaders/forklifts) have Tier 4 permits?*

Waste Management's Response:

Yes

9. Question: *Referencing CEQA, page 6 - CEQA specifies that between 250-350 tpd will be composted onsite. Application says up to 1,000 tpd for processing.*

Waste Management's Response:

Digestate may stay onsite or offsite. This site does not have the capacity to handle 1,000 tpd (of composting).

10. Question: *2010 CEQA specifies about 250-350 tpd.*

Waste Management's Response:

This site will be processing about 1,000 tpd.

11. Question: *Heavy metals such as BPA, plastic, phthalates should be addressed.*

Waste Management's Response:

WM will test to meet Title 14 requirements.

12. Question: *Who's paying for the project?*

Waste Management's Response:

WM is paying for the equipment to produce good quality compost.

13. Question: *How about hazardous wastes?*

Waste Management's Response:

Although no hazardous wastes are allowed within the facility, hazardous wastes are separated when encountered and stored/managed for proper disposal.

14. Question *(translated from Chinese by the LEA): Will there be an increase in vehicles?*

Waste Management's Response:

No vehicle increase or material change. Through the composting process, there will be reduction between 6-10 trucks less per day.

15. Question *(translated from Chinese by the LEA): What are the number of hours per operating day?*

Waste Management's Response:

Two shifts: 6 am – 2:30 pm, if there's a second shift: 3:30 pm – 11 pm. Remaining hours will be for maintenance. The same schedule that Waste Management DSTS is doing now – no change.

16. Question: *Environmental review in 2011 clearly says that 250-350 tpd? Are you not sure of the amount?*

Waste Management's Response:

We will process about 1,000 tpd. Materials will be received onsite – process – offsite – disposal.

17. Question: *How about percolate?*

Waste Management's Response:

All sewer discharge goes underground to the sanitary district across the street.

18. *Question: The Rotary Drum Reactor was never shown in the presentation. Also, how do the workers get to the site? How about natural gas piping?*

Waste Management's Response:

Not everything can be shown in the presentation but they are discussed in the TPR. The four round things on the map are most likely the percolate tanks. Discharge goes to the sewer and to the wastewater treatment plant.

19. *Question: We are part of the West Neighborhood Group. We asked for a meeting later during the day since people work. No one called back. We need to understand the people who are living in this area.*

Everything was o.k. when Isola was there. Kids have been hit by WM trucks. Trucks are going crazy. Makes me feel ugly if we cannot think of the quality of life. Three quarters of our neighbors are Chinese. How do we keep healthy communities? I want Eden Road. We have a lot of incidents in our neighborhood. We counted 60,000 cars and trucks in 6 hours. You have to understand that safety is #1. Get the trucks out of Davis Street. Government does not represent us. I'm upset. Regulators don't know us. I don't want our little kids to get hurt. I have families and I'm passionate about this. We're trying to make a difference. We need to be partners. I don't care about our government.

Waste Management's Response:

I offered my email and personal cell phone at every meeting. WM has really tried to help you and is still offering to help. Safety is important to us. It is our number one priority. I can't speak for the City but as far as I know, the City purchased several parcels by Eden Road and they're working on it. This project will actually reduce the number of traffic.

20. *Question: Issue of WM trucks running the yellow lights.*

Waste Management's Response:

Our trucks are equipped with technology that monitors the truck – trucks accelerating, braking, etc. We have the same concerns as you.

21. *Question: Is there a mechanism that would tell the drivers when the trucks go on the ramp to be as slow as they can?*

Waste Management's Response:

Another level of coaching to our drivers. Discipline that will assist the drivers. The devices record on a daily basis. Drivers can see themselves on cameras. We are interested to hear, listen to your comments. Our door is always open and we are interested in hearing what you have to say.

22. *Question: Traffic – a lot of monitoring. Are you willing to install a device to measure VOCs if odors start? Why are you not willing to install these devices?*

Waste Management's Response:

Permit will be issued by the Air District and we will meet their requirements.

23. *Question: Both airport and your site cumulatively impact our communities. Think about the pollution that's coming to us with the process.*

Waste Management's Response:

Can't speak about the Air District. I am not an air person. These buildings are enclosed. Activities will be done indoors which is an improvement.

24. Question: Will odor affect the neighborhood?

- Odor will be managed on site according to the Odor Impact Minimization Plan. Odor complaints may be identified to Davis Street Transfer Station so that they may investigate and abate the issue. All complaints will be forwarded to the LEA for review.

25. Question: There are odors in the area, but I'm not sure whether it is from DSTS or the Wastewater treatment plant.

- Odor complaints can be addressed to both DSTS and the Wastewater treatment plant (City of San Leandro) and both may investigate the source of the odors.

26. Question: Can Waste Management talk to their employees about not running the red light at Warden Avenue and Davis Street?

- As discussed during the Public Meeting, Waste Management holds trainings for their drivers regarding safety. Waste Management will address any public complaints regarding their drivers.

Davis Street Transfer Station Question and Comment Summary Emails

Email on June 5, 2017.

1. The project before you today should not be approved because it has failed to have gone through the proper CEQA review and approval and should not be approved until the project follows the requirements of CEQA.
 - The LEA has reviewed the CEQA documentation including the Master Plan Improvements (PLN2010-00026) and the project is consistent with both CEQA and Master Plan Improvements.
2. There are substantial changes that have been made to the project since its CEQA review adding new and significant environmental impacts.
 - The changes made in the project are consistent with the CEQA review as reviewed by the LEA.
3. The project description in 2010-11 clearly stated that "Between 250 and 350 tpd will be composted on site, and the rest of the material will be shipped for composting off site." –recall that this project stipulation was agreed upon in the heated 2010-11 CEQA process. The project description today in 2017 states that instead of composting 250 to 350 tons per day it now is a project that will compost 1000 tons per day onsite; this is a significant change to the project that requires proper CEQA review.
 - The LEA has reviewed the documentation in regards to composting materials. 1000 tons per day are not being composted on site according to the TPR/IVDR. The 1000 tons per day refer to the materials that are being processed at the composting facility and do not represent the total tons per day of composted materials. The composted materials, as described in the TPR, section 1m. states, "The Compost Refining Processing facility will receive an expected average of 216 tons per day, six days a week with a design capacity maximum of 250 tpd." The composted material on site is consistent with the 250 and 350 tpd as listed in the CEQA document.
4. There has been significant changes of circumstances at the San Leandro Site under which this project is being undertaken, namely the abutting City of Oakland Airport is now proposing along with this DSTS project to bring forth a major airport expansion; these two projects together create significant cumulative impacts on the EJ community living side by side that were not factored into the original project CEQA review.
 - The LEA has reviewed the CEQA documentation provided by the City of San Leandro (Lead Agency) in regards to the DSTS project. The LEA has determined that the DSTS project meets the requirements of CEQA.

5. And also there is now significant new information known about the project that was not known and could not have been known at the time the negative declaration was adopted, that I believe requires major revisions of the negative declaration due to new significant environmental effects.
 - The LEA has reviewed the CEQA documentation provided by the City of San Leandro (Lead Agency) in regards to the DSTS project. The LEA has determined that the DSTS project meets the requirements of CEQA.
6. The project is now proposed to include two 135 feet long 35 feet diameter ROTARY DRUM REACTORS AND AN OREX and a separate 1.5-acre "Zero Waste Energy SMARTFERM" patented Anaerobic Digestion facility that EACH have significant environmental impacts not covered in the 2010-11 CEQA.
 - The anaerobic digestion facility is listed in Stage 1 of the Food Waste/Organics/Green Waste Compost Facility section of the Master Plan. The OREX is a part of the processing of the Food Waste/Organics/Green Waste. The Rotary Drum Reactors are a screening mechanism and a part of the screening process of Stage 3.
7. The stationary source emissions from all of the indoor engines should be properly analyzed and mitigated none of which has been currently done for all of the new equipment added. There is significant concern that the BTEX emissions from the diesel engine sources inside the buildings has not been fully reviewed analyzed, or mitigated for both exposures to visitors, workers and the neighborhood.
 - The emissions fall under the jurisdiction of the Bay Area Air Quality Management District.
8. There is significant concern that the proposed "Zero Waste Energy SMARTFERM" patented Anaerobic Digestion facility equipment in this newly proposed site has the propensity to cause local odors as has been the reported case of this same equipment that has been constructed in Milpitas CA where for two years in a row there were more than 3000 odor complaints have amassed (see attached report from the BAAQMD). There should be real time fence line monitoring of the Total VOC emissions to monitor and avoid neighborhood complaints of odors from this project. Such devices are not expensive and should be operated to stop the site from producing VOC odors that may cause asthma attacks especially of children at the Garfield Elementary school that is less than a mile away from the facility.
 - The TPR/IVDR includes an Odor Impact Minimization Plan which addresses odors and how the facility will respond to odor issues. Davis Street Transfer Station must meet State Minimum Standards as well as the Terms and Conditions of the Solid Waste Facility Permit that pertain to addressing odor issues. Please note that the Milpitas facility also had outdoor windrow composting at one point which may have increased the number of odor complaints.
9. Air quality impacts from possible outbreaks of legionella organisms or other disease causing bacteria, viruses, or spores from the proposed processing and composting of food waste and water handling, storage and use including misting should be carefully analyzed and proper mitigations and monitoring included none of which as yet been made for the 2017 proposed project. Testing and monitoring of the emissions from the biofilter should at a minimum be included.
 - The emissions fall under the jurisdiction of the Bay Area Air Quality Management District.
10. The project description with the added capacity states that THE USE OF ADDITIONAL odorants will be used but fails to disclose what exact odorants. It is unclear if the proposed odorants are asthma-gens listed on the AOEC asthmagen list. The public has a right to know what chemicals are being released from this project cite and this should be included in the CEQA documents.
 - Any chemicals that are in use at the facility will follow any hazardous materials business plans that the facility has with the local CUPA agency. The LEA does not regulate the chemicals that are being utilized at the facility in this regard.

11. Please note that the new project includes many new details to the project that were not analyzed in the CEQA documents. The applicants have claimed that there are no new truck trips to the project yet the Transfer Processing Report clearly states that this new project includes the transfer of materials from the process to offsite locations yet none of these truck trips are included in the traffic analysis done in 2010-11 CEQA review. Traffic and truck trips need to be properly analyzed and mitigated.
 - The facility is permitted for 5761 vehicle trips per day at this time. There have been no exceedances of this restriction upon review of the current records at the facility for vehicle trips. The traffic flow documents within the TPR highlight the routes for vehicles entering and exiting the facility. The facility is required to adhere to the permitted vehicle trips in and out of the facility.
12. Importantly the air pollution control device that is in the project description in the 2010-11 project documents was sized to control the emissions from the then described project that did not include these other emission sources. There also was no alternatives analysis made of these new parts of the project because they have not gone through any such CEQA analysis. The greater amount of tons per day composting requires that the greater water emissions from the composting be properly reviewed for environmental impacts especially for disease control.
 - The air pollution and water emissions are not under the jurisdiction of the LEA. This jurisdiction may fall under the Bay Area Air Quality Management District and the San Francisco Bay Regional Water Quality Control Board.
13. The 2010-11 project did not include in its description the processing of rubbish to compost the food in the rubbish instead it was a project to process source separated food waste with green waste to compost and create clean soil amendment. The new project is instead creating contaminated processed rubbish mixed with food waste and green waste and is wrecking the original project quality. Grinding up of bagged garbage/rubbish should not be permitted to be used to contaminate clean source separated food waste.
 - Mixed organics are listed in the Master Plan under Food Waste/Organics/Green Waste Compost Facility. Materials processed at the Organic Material Compost Facility consist of feedstocks of Organic Fraction of Municipal Solid Waste, Co-Collected Organics, green material, food material, and digestate.
14. There are serious concerns of shredding up waste containing PVC materials with food as plasticizers and other serious contaminants will contaminate good compost that may mistakenly be used for growing food if it is given to people in the County of Alameda. If this project is approved it should be stipulated that the materials must be labeled NOT FOR FOOD GROWING USE. Such enforcement will not be feasible and therefore this project should not be approved as it is a source of contamination for our State and Country.
 - The compost produced at the facility must meet the In-Vessel Digestion Regulatory Requirements as listed in sections 17896.58 (Sampling Requirements) 17896.59 (Maximum Metal Concentrations), 17896.60 (Pathogen Reduction), and 17896.61 (Physical Contamination Limits) prior to removing the finished compost from the facility or beneficially used onsite.

Email on June 1, 2017.

1. Family lives on Arctic Street in San Leandro, 94577 for more than 16 years. Resident has mentioned that they are unable to stay outside in front of their home because of the bad smell coming from the trash company on Davis Street, which is far away from their home. They are concerned that the new facility will be too close to their home and will be terrible for the smell. They oppose the project because it's too close to residences.
 - Davis Street Transfer Station is required to maintain an Odor Impact Minimization Plan at the site to control and mitigate odors from the facility. All of the newly proposed solid waste activities will be performed within enclosed buildings under negative air pressure, with the air filtered through a biofilter system. There are also other nearby facilities that may also be contributing to odors in the area which include the City of San Leandro Water Treatment Facility. DSTS is sited in an area zoned for "PI" Public/Institutional and "IG" Industrial General in the City of San Leandro Zoning Map.

2. They are concerned that the building will block their view to the ocean and from air coming from the shoreline. They feel the tall building will interfere with these aspects.
 - The design of the building was reviewed and approved by the City of San Leandro Planning Department.

Email on May 24, 2017.

1. How is water quality affected?
 - The new project will take place within enclosed buildings which will help prevent storm water pollution. Any discharge water within the facility will go through the indoor drainage system and will be discharged to the San Leandro Water Pollution Control Plant. Water quality in this case will be likely monitored by the San Leandro Water Pollution Control Plant and the San Francisco Bay Regional Water Quality Control Board.
2. Does it negatively affect our water supply?
 - Wastewater effluent will be generated by both the Anaerobic Digestion and In-Vessel IVC Systems with an anticipated maximum annual volume of 2,000,000 gallons. Wastewater will be discharged to the San Leandro Water Pollution Control Plant. No pre-treatment is currently required. East Bay Municipal Utilities District supplies potable water and the San Leandro Water Pollution Control Plant will supply reclaimed water.
3. Are there any exemptions in effect for this project?
 - The LEA is unaware of any exemptions in effect for this project. The project meets the requirements of the California Environmental Quality Act (CEQA) as listed in the Davis Street Transfer Station Master Plan Improvements (PLN2010-00026).
4. Will this lead to an increase of imported combustion material from our area?
 - The facility is limited to 5761 vehicle trips per day going in and out of the facility. There is no anticipated increase of vehicle trips at the site at this time. Davis Street Transfer Station is currently in compliance with the permitted vehicle trips at this time. The Bay Area Air Quality Management District has jurisdiction in addressing combustion issues.
5. Will any diseased animals be part of the recovered combustion material?
 - Materials processed at the Organic Material Compost Facility consists of feedstocks of Organic Fraction of Municipal Solid Waste, Co-Collected Organics, green material, food material, and digestate. Diseased animals are not described in this project as a feedstock for the compost material.
6. How can the LEA ethically accept these three major construction Phases to occur? Why weren't these phases in the initial permit?
 - The Davis Street Transfer Station Master Plan Improvements (PLN2010-00026) were approved by the City of San Leandro in 2011. The Master Plan Improvements were to be built out in several phases in a timeline approved by the City of San Leandro. The Solid Waste Facility Permit focused primarily on the solid waste activities that were current at the facility at that time. The LEA requested a Revision of the Solid Waste Facility Permit once Davis Street Transfer Station proposed to continue construction of the later phases as listed in the Master Plan Improvements.
7. Concerned about an increase in stench (in the form of methane), increased traffic and noise pollution within the neighborhood.
 - Davis Street Transfer Station (DSTS) is required to comply with the terms and conditions of the Solid Waste Facility Permit. DSTS must follow their Odor Impact Minimization Plan as well as the permitted vehicle trips per day. Any complaints of odor, noise, etc. can be made to the facility as well as the LEA.

Davis Street Transfer Station
Public Informational Meeting Question and Comment Summary
May 2, 2017

Questions from the Public:

1. We were asked if some of the plastics that are found inside the AD vessels leach chemicals into the percolate which, as we understand, is recirculated continually, are there testing systems in place that make sure the percolate is removed/drained off from the closed system when levels get too high for some standards.
 - There are no standards or regulations that directly apply to percolate composition or constituents. The pH and temperature of percolate are continuously monitored by system telemetry. At the discretion of the operator, periodic testing of percolate is performed and may include measurements such as COD, chloride/salt, sulfur, phosphate, ammonia, BOD, TSS, specific conductivity and VFA concentrations. Percolate is required to be contained and once removed it is disposed of in accordance with the California Code of Regulations. Finally, fresh water is added to the system over time as water is removed in the digestate.
2. Is the digestate also given a series of tests to measure any toxics?
 - Digestate is a form of active organic compost. Following maturation and stability of the digestate, the resulting organic compost will be subject to CalRecycle Title 14, Chapter 3.2. In-Vessel Digestion Operations and Facilities Regulatory Requirements (<http://www.calrecycle.ca.gov/Laws/regulations/title14/default.htm>)
3. Would appreciate any references to published standards, regulations, etc.
 - See Title 14, Chapter 3.2.
4. Temperature monitoring does not meet the 3 day 55 degree Celsius required temperature.
 - Temperature monitoring in the in-vessel composting system complies with the requirements of Title 14, Section 17896.60(b)(2) Pathogen Reduction. A separate System Specific Temperature Monitoring Plan for the in-vessel composting process has been filed with the LEA and determined to be correct and complete.
5. The process is measuring the exhaust temperature which is only an average of the compost material temperature. It does not represent all of the compost material.
 - The in-vessel composting process is enclosed and all exhaust air temperature from the entire pile will be monitored and logged. Due to the active turning of the material each day as it progresses through each phase of the lanes, all materials are exposed to the Title 14 temperature requirements. The defining measure of compliance is the testing of the compost by a laboratory certified by the California Department of Public Health for pathogen reduction, per Title 14, sampling and testing requirements.

Surdilla, Arthur, Env. Health

From: Arthur Boone <arboone3@gmail.com>
Sent: Monday, May 01, 2017 8:42 PM
To: Antoinette Stein
Cc: Esquivel, Jeffery@CalRecycle
Subject: Re: follow up to share contact info Jeffery Esquivel calrecycle and who is Jacques Franco
--re: Davis Street OMRF and Compost Facilities

Mr. Esquivel.

In the matter of building a compost yard, any type of compost yard, in the space such as Davis Street Transfer Station operates is fraught with possible negative environmental effects.

From 2010 to 2013, I was the Conservation Chair of the SF Bay Chapter of the Sierra Club and paid especial attention to the questions of air quality in West Oakland, a matter much attacked if not remediated by a number of agreements between the Port of Oakland and the Bay Area Air Quality Management District (cold ironing ships coming into port, stringent rules for trucks coming into the truck terminal, ending of diesel engines for shoreside power, etc.).

In the course of filling in for a fellow Sierra Club member who had taken on involvement in the West Oakland Port-related matter, I tracked what was also discovered about air quality in the rest of Oakland. Citizens for a Better Environment identified in 2007 that the 880 corridor, which flows through downtown and East Oakland into San Leandro, was itself the center of major areas of nonattainment of desired air quality. [Google "cbe-880-pollution" for an eyeful]. I have managed factories in East Oakland less than 100 yards from the I-880 freeway and was stunned by the particulate matter that settled on anything we left out overnight.

As I have turned my attention now to San Leandro, I see that the effects of the 880 corridor extends beyond Oakland well into San Leandro. If you look at the air quality map of San Leandro (Dr. Stein can provide you with a copy; it was attached to our complaint), you see that all of the city above and below the I-880 corridor suffers from well below standard air quality.

While these datapoints are not directly relevant to the DSTS permit application, they illuminate an area of City of San Leandro life that seems to suffer from major inattention by the local powers that be. Air quality will never be improved in the segment of the NW part of the City where DSTS exists unless affirmative actions are undertaken to reduce existing pollutant levels and to avoid any new construction that will exacerbate what is already a bad situation.

Waste Management takes the glib position that negative air pressure and biofilters will solve or end any pollutants escaping to the surrounding atmosphere. If the state is to pursue its goal of protecting its people and the environment, there needs to be lot more facts than opinions in play in this matter.

I presume you understand that CARB's interest in ending all deposition of all organic materials in landfills in the next few years is in fact shaking this state's solid waste industry to its core. In the 1990s curbside programs were rolled out through much of the state and, by 2006, the state declared we had reached the 50% waste reduction goal. Several years later the legislature decided that 50% was not enough and voted for 75% waste reduction but with many eviscerating caveats.

The CARB understanding that organics have no business in landfills is an entirely new initiative with extensive repercussions. We need to see that some composting programs are better than others just like we have learned that some collection containers are better than others. Both fancy machines that supposedly turn waste into resources and compost yards that turn worked-over wastes into marketable soil amendments are largely untried hypotheses in California. It would be a shame if the state failed to utilize the intelligence and experience available to it in evaluating proposals before local governments and citizens will be saddled with the costs of these problematic programs.

On Mon, May 1, 2017 at 2:26 PM, Toni Stein <tweil@igc.org> wrote:

Dear Jeffery and Arthur:

Thank you for your time today to discuss the Davis Street Project

I am following up

Note that Jacques Franco is still listed on the Cal Recycle website as the point of contact for Anaerobic Digestion here <http://www.calrecycle.ca.gov/Climate/Contacts.htm> as well as at UC Davis at the Policy Institute

Here: <https://policyinstitute.ucdavis.edu/staff/jacques-franco/>

For Arthur here is Jeffery's contact information--

Jeffery Esquivel, Environmental Scientist

Permitting & Assistance Branch - South Unit

Waste Permitting, Compliance & Mitigation Division

Cal Recycle

P.O. Box 4025, Sacramento, CA 95812-4025

Office: [916.341.6337](tel:916.341.6337)

jeffery.esquivel@calrecycle.ca.gov

Best

Toni

From: Esquivel, Jeffery@CalRecycle [<mailto:Jeffery.Esquivel@calrecycle.ca.gov>]

Sent: Monday, March 27, 2017 1:22 PM

To: 'tweil@igc.org' <tweil@igc.org>

Cc: 'Auyeung, Jane, Env. Health' <Jane.Auyeung@acgov.org>

Subject: Requested Information, Altamont CASP Project

Hello Ms. Stein –

I'm am writing in regards to your verbal request for composting regulations which we discussed during the Altamont's Public Information Meeting on Wednesday, March 22nd. Please see the following link, http://www.calrecycle.ca.gov/Laws/Regulations/Title14/#Chapter3_1, Chapter 3.1: Compostable Materials Handling Operations and Facilities Regulatory Requirements. The link identifies definitions, state minimum standards, record keeping requirements, site restoration, and regulatory tiers along with technical document requirements.

Here is the link to search permitted sites within the State of California that compost, <http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>. Go to the drop down box for Facility Type and choose Composting.

Lastly, here is a link discussing aerated static piles, <http://www.calrecycle.ca.gov/organics/Processors/Systems/default.htm>, which you may find useful in explaining the compost process.

It was great meeting you and please let me know if you have any questions.

Jeffery Esquivel, Environmental Scientist

Permitting & Assistance Branch - South Unit

Waste Permitting, Compliance & Mitigation Division

Cal Recycle

P.O. Box 4025, Sacramento, CA 95812-4025

Office: 916.341.6337

jeffery.esquivel@calrecycle.ca.gov

Surdilla, Arthur, Env. Health

From: Esquivel, Jeffery@CalRecycle <Jeffery.Esquivel@calrecycle.ca.gov>
Sent: Monday, May 08, 2017 10:23 AM
To: 'Arthur Boone'; 'Matthew Cotton'; 'Michael Gross'; 'George Savage';
'jlindenthal@mrwmd.org'
Subject: RE: Testing percolate at AD facilities.

Hi Arthur –

Your comments have been forwarded to the Alameda County Local Enforcement Agency and a response to your questions will be addressed prior to permit issuance.

In regards to In-Vessel Digestion Regulatory Requirements, please visit the following link:
<http://www.calrecycle.ca.gov/Laws/Regulations/Title14/default.htm>

Thank you.

Jeffery Esquivel, Environmental Scientist
Permitting & Assistance Branch - South Unit
Waste Permitting, Compliance & Mitigation Division
Cal Recycle
P.O. Box 4025, Sacramento, CA 95812-4025
Office: 916.341.6337
jeffery.esquivel@calrecycle.ca.gov

From: Arthur Boone [mailto:arboone3@gmail.com]
Sent: Monday, May 8, 2017 8:28 AM
To: Matthew Cotton <matt@mattcotton.com>; Michael Gross <michael@zankerrecycling.com>; Esquivel, Jeffery@CalRecycle <Jeffery.Esquivel@calrecycle.ca.gov>; George Savage <gsavage@calrecovery.com>;
jlindenthal@mrwmd.org
Subject: Testing percolate at AD facilities.

We were asked if some of the plastics that are found inside the AD vessels leach chemicals into the percolate which, as we understand, is recirculated continually, are there testing systems in place that make sure the percolate is removed/drained off from the closed system when levels get too high for some standards.

Is the digestate also given a series of tests to measure any toxics?

Would appreciate any references to published standards, regulations, etc.

We have a lot to learn. Our complaint was filed on April 28th.

ARBoone

MEMO

From: Arthur R. Boone, 2812 Burton Drive, Oakland, CA 94611. 510/910-6451

To: ALAMEDA COUNTY, DEPARTMENT OF PUBLIC HEALTH

Re: Comment on Application of Waste Management of Alameda County [WMAC] to create Composting facility at Davis Street Transfer Station [DSTS], City of San Leandro, CA [CSL].

INTRODUCING THE COMMENTATOR: Arthur Boone is 79 years old and has worked in recycling since 1983 and has lived in the Oakland-Berkeley area since 1975. He is the former president (four years total) of the Northern California Recycling Association and served on the Alameda County Recycling Board [ACRB] from 2005-2007. He was the founder of NCRA's RECYCLING UPDATE conference in 1996 and led it for 18 years, retiring in 2014 which functioned as the local recycling industry's R&D session each year. Dr. Stein, a current member of the ACRB, when confronted with aspects of the WMAC proposal for DSTS that she disagreed with, asked for his assistance because of his long experience and deep knowledge of the wasting industry in the Bay Area. (Full C.V. available as requested.) Boone spoke at the public informational meeting in San Leandro on May 2, 2017 and the comments below are an extension of those remarks.

1. The wasting industry is in the midst of major transformations. Originally designed early in the last century to collect unwanted materials from households, institutions, and businesses, and to carry them to a place where they could be burned (modern version is called an incinerator) or buried (then called a dump, now called a landfill), wasting companies have been called upon by recent state law (AB 939, 1989; 75% goal, 2011; mandatory commercial recycling, 2012; and mandatory commercial organics processing, 2016) and federal law (Resource Conservation and Recovery Act of 1976) to respect all discarded materials and to find end uses for these discarded materials that do not require burning or burying.
2. These laws are known collectively as the waste reduction and recycling laws and include Alameda County's Measure D, enacted in 1990 and now carried as Section 64, Waste Reduction and Recycling, in the county ordinances. Alameda County is one of the few of America's 4,000 counties to have its own measures on this topic and may in fact be one of only about ten counties in the country with such local direction in this area of law.
3. Also operative in this field is the aspirational goal of "highest and best use" [HABU], which brings into play the question not only of finding a place other than a burn or bury facility for the disposal of unwanted goods and materials but also an end use that makes the best possible use of the materials in question. This goal is reflected in the "zero waste" slogan which has been articulated for the last 20 years in the Bay Area and posits a society and an economy where all unwanted materials have a HABU destination, the so-called circular economy.
4. Also operative in this field is the recognition that the world we live on, 8000 miles in diameter, now has 17 times as many people as it did 275 years ago (1750, the beginning of the Industrial Revolution) and no more air, water, trees, ores, etc. than when a much smaller population used these resources. Resource economists have been calculating for several years when, given current extraction rates, the world will run out of the various virgin resources. These

calculations are not incidental to the waste reduction and recycling interests developing in our times.

5. Composting is a process to take unwanted organic materials (most commonly vegetative materials [grass, leaves, tree trimmings, etc.], food materials [spoiled food, plate waste, prep trim, etc.], and some discarded papers [napkins, paper towels, some food containment products], and then, through various microbial actions (either air-based [so-called aerobic] or absence-of-air [known as anaerobic], converting the organic materials into a useable soil amendment that improves plant life, reduces water use, replaces costly fertilizers, etc. Composting is an ancient and honorable human practice and complements the natural degradation that takes place in forests, swamps, etc.
6. Composting is often thought of as a HABU practice but many organics actually have a higher use such as feeding humans with inadequate diets or simply in need, animal feed [common in dog and cat prepared foods], etc.
7. Local governments vary in their practice of defining unwanted organics as a waste. If designated as a waste, exclusive waste collection contracts allow the authorized haulers so contracted to exclude any and all competition for these materials. Communities in Alameda County have varying local ordinances on this subject.
8. WMAC has been planning to do composting at DSTS for 20 years and has yet to implement a program. The 53 acre property at the west end of Davis Street in CSL has been a dump site since the end of World War II and a transfer site since 1977. Its neighbors, both businesses and residential, have complained of odors, seagulls eating their lunch on the neighbors' roofs, etc. for decades. The outdoor composting plan floated in early 1997 was withdrawn soon after it was shown [December 18, 1997].
9. The current WMAC plan before the DEH is a revision of the 2011 plan approved by the San Leandro authorities (following CEQA practice) as modified by the 2016 plan (approved by the CSL Zoning Administrator without additional CEQA review [defined as public hearing and opportunity to speak]). The 2011 plan envisioned a large structure with four work areas as below, covering some 308,880 square feet (8.1 acres) (best seen in the CH2MHill, Figure 2 Site Layout drawings).
10. The 2011 plan as presented was simply a standard California composting project of its time using source-separated materials as feedstocks moved indoors. At the time it was written (2010) yard debris collections from homes and businesses had been in operation for at least ten years in Alameda County and food debris materials were just starting to be co-collected from residential properties and in separate collection programs from food establishments [restaurants, grocery stores, etc.]. The 2011 plan envisioned these materials arriving separated with the trucks carrying mostly yard materials going in the SE building, the trucks with food materials going in the NE building, the sizing and mixing of materials to be done in the SE building, and the composting in the NW building.
11. In early 2016 WMAC presented a rather different plan for its composting operations. (Mr. Tackett's speech at the public hearing on May 2, 2017 confusedly moved back and forth between the 2010 drawings and the 2016 drawings with no clarification of the changes that were made.) The 2016 drawings were also not in the packets of information shared with the ACWMA in its February and March, 2017 proceedings, although Mr. Tackett's presentations to the ACWMA included parts of the 2016 plan. (This plan is best seen in the site map dated June

27, 2016, and prepared for WMAC by ET (illegible); all correspondence in our hands before this date use the 2010 map. This 2016 plan appears to be the plan approved by Sally Barros, CSL Zoning Enforcement Official and mentioned in her letter of April 4, 2016.

12. The building at the NE corner of the composting complex is called first the "Food Waste/Organic Recycling Facility" in the 2010 plan, then in correspondence starting in 2014 is also referred to as "a.k.a. Integrated Waste Processing Facility" and finally, first in the site plan of June 27, 2016, as the Organics Materials Recovery Facility [OMRF]. The letter of J.K. Jones dated January 10, 2017, refers to the OMRF as follows: (p.2.) "The OMRF will include construction of a 62,000 square foot building to house materials processing equipment designed to remove organics and recyclable commodities from the waste materials that currently come to Davis Street for transfer and disposal." The memo from SCS Engineers dated October 23, 2015, that discusses planning options for DSTS composting operations can be read to suggest what is clearly stated in Ms. J.K. Jones' memo of January 10, 2017 but not necessarily.
13. My specific interest in this project has been towards only two aspects of the total program: mixed waste processing (MXP) and anaerobic digestion (so-called AD).

Public Meeting for Davis Street Transfer Station – Solid Waste Permit Revision – Sign in sheet

#	Name	Company/Organization	Phone no.	E-mail Contact	Interested in Speaking? Please circle one
1.	Shawn Tackett	WM	4180-291-3995	stackett@wm.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO
2.	KAREN STERN	WM	510-613-8700	kstern@wm.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO
3.	Paul Rosynsky	WM		PROSYNSKA@wm.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO
4.	Javier Magana	Environmental Health	510-567-6700	javier.magan@ehp.org	<input checked="" type="radio"/> YES or <input type="radio"/> NO
5.	Jeffrey Esquivel	Cal Recycle	916-341-1837	jeffrey.esquivel@calrecycle.ca.gov	<input checked="" type="radio"/> YES or <input type="radio"/> NO
6.	Marcus Sorkillano	Cal Recycle	(916) 341-6328	marcus.sorkillano@calrecycle.ca.gov	<input checked="" type="radio"/> YES or <input type="radio"/> NO
7.	wing suen	Alameda Co., USA	510.777-2218	wing.suen@acgov.org	<input checked="" type="radio"/> YES or <input type="radio"/> NO
8.	Daron Ward	WM	510-567-2440	dward2@wm.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO
9.	Don WAT	Alameda	907-777-2440	DanWard@alameda.ca.gov	<input checked="" type="radio"/> YES or <input type="radio"/> NO
10.	Audrey Aubrey		510-357-2479	_____	<input checked="" type="radio"/> YES or <input type="radio"/> NO
11.	MIKE TERREY DOBBINS		510-614-8453	MIKEDOBBS@comcast.net	<input checked="" type="radio"/> YES or <input type="radio"/> NO
12.	Brenda Perez	Alameda County Industries	510-385-3601	bperetz@alamedacountyindustries.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO
13.	Osvaldo Mejia	WM	510-714-5112	osvaldo@wm.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO
14.	Edward Sarrate	Self	510-501-8312	edward@sosbct.net	<input checked="" type="radio"/> YES or <input type="radio"/> NO
15.	ADITHAN SUNDIGA	CEA	510-567-6866	adithan.sundiga@ceagov.org	<input checked="" type="radio"/> YES or <input type="radio"/> NO
16.	Maria Marmora	Verx	510-567-6730	maria.marmora@verx.com	<input checked="" type="radio"/> YES or <input type="radio"/> NO

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Public Meeting for Davis Street Transfer Station – Solid Waste Permit Revision – Sign in sheet

#	Name	Company/Organization	Phone no.	E-mail Contact	Interested in Speaking? Please circle one
17.	Simmi 2Hn		510-243-2681		YES or NO <input checked="" type="radio"/> #3 0 possible
18.	A. Soria	ETS	510 823 7662		YES or NO <input checked="" type="radio"/> #4
19.	Walter Chomard	Davis West Corp	510-440-9232		YES or NO <input checked="" type="radio"/> #5
20.	Atte Augung	Alameda County	510-567-6168	Atte.augung@acgov.org	YES or NO <input checked="" type="radio"/>
21.					YES or NO
22.					YES or NO
23.					YES or NO
24.					YES or NO
25.					YES or NO
26.					YES or NO
27.					YES or NO
28.					YES or NO
29.					YES or NO
30.					YES or NO

Public Meeting for Davis Street Transfer Station – Solid Waste Permit Revision – Sign in sheet

3/2/17

#	Name	Company/Organization	Phone no.	E-mail Contact	Interested in Speaking? Please circle one
1.	Jeffrey Squitl	CalRecycle	916-620-0753	jeffrey.squitl@calrecycle.ca.gov	YES or <input checked="" type="radio"/> NO
2.	Dawn Bard	WDM	570 503 9210	dawn@wdm.com	YES or NO
3.	Sharon Sinsabaugh	WDM	510-714-9772	osinsabaugh@wdm.com	YES or <input checked="" type="radio"/> NO
4.	Rebecca Justl	Independent	-	-	#1 YES or NO
5.	Jane Augering	Alameda County	510-567-6768	jane.augering@acgov.org	YES or <input checked="" type="radio"/> NO
6.	ARTHUR SNEED	"	510 567 6866	ARTHUR.SNEED@acgov.org	YES or <input checked="" type="radio"/> NO
7.	Tanna Murat	WDM	925-448-7008	tmurat@wdm.com	YES or <input checked="" type="radio"/> NO
8.	Jim Freola	Former SL Council member	510-483-0744	improvements@slc.com	#3 YES or NO
9.	Wafaa Aborashed	Bay Area Healthy: 800 Communities	510-347-4620 X186	healthy@slc.org	#3 YES or NO
10.	Andrew Green	ERRPD	690-6682	agreen@errparks.org	YES or <input checked="" type="radio"/> NO
11.	Sandra Ambler	CR	916 341 5352	sandra.ambler@calrecycle.ca.gov	YES or <input checked="" type="radio"/> NO
12.	Arthur R. Boone	SELF	510/910-6445	ARBoone3@att.net	#4 YES or NO
13.	Lisa Maffei	City of San Leandro	510-577-6002	lmaffei@sanleandro.org	YES or <input checked="" type="radio"/> NO
14.	Toni Stein	Self/Env. Health Ins	650 823 7002	twel@calrecycle.org	YES or NO #5
15.	Wing Suen	Alameda County	510-777-2218	WingSuen@acgov.org	YES or <input checked="" type="radio"/> NO
16.	MARIA AMENDORA	Alameda County	510-567-6733	maria.amendora@acgov.org	YES or <input checked="" type="radio"/> NO

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PAGE 2

Public Meeting for Davis Street Transfer Station – Solid Waste Permit Revision – Sign in sheet

#	Name	Company/Organization	Phone no.	E-mail Contact	Interested in Speaking? Please circle one
17.	Latesca Pater	Hawmuda County	602-607-6189	latesca.pater@hawmuda.org	YES or NO <input checked="" type="radio"/>
18.	Ken Lewis	Waste Management		*was in attendance but didn't sign sheet	YES or NO
19.	Shawn Tackitt	Waste Management		*was in attendance but didn't sign sheet	YES or NO
20.	Jessica Jones	Consultant for Waste Management		*was in attendance but didn't sign sheet	YES or NO
21.	IT	Waste Management		*was in attendance but didn't sign sheet	YES or NO
22.					YES or NO
23.					YES or NO
24.					YES or NO
25.					YES or NO
26.					YES or NO
27.					YES or NO
28.					YES or NO
29.					YES or NO

Surdilla, Arthur, Env. Health

From: Dianne Martinez <dmartinez@emeryville.org>
Sent: Sunday, April 23, 2017 9:55 PM
To: Surdilla, Arthur, Env. Health; Auyeung, Jane, Env. Health
Cc: KStern2@wm.com
Subject: Davis Street Organics MRF/Composting and Anaerobic Digestion Facilities

To whom it may concern:

I am writing in support of the Davis Street Organics MRF/Composting and AD facilities. This comprehensive approach to organic materials management represents a significant development in reaching Alameda County's stated goal: by 2020 less than 10% what goes to county's landfills will be readily recyclable or compostable. By augmenting the curbside, source-separated three cart system with technology to separate fugitive organics in the trash for composting, Alameda County will be closer to reaching its diversion goal. In addition, this represents a significant step toward meeting the state's goals under SB 1383 and the reduction of GHG throughout the region.

The City of Oakland is to be commended for requiring the OMRF as part of its collection contract with Waste Management. Similarly, I applaud the City of San Leandro for diligently working through the CEQA and building permitting process to allow this state-of-the-art facility to be built. Alameda County, the City of Oakland and the other jurisdictions potentially served by the OMRF, including the City of Emeryville, are now closer to reaching their diversion goals. Thank you for your consideration.

Sincerely,

Dianne Martinez
City Councilmember
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608

510-596-4376
dmartinez@emeryville.org

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P.O. BOX 942849
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FAX (916) 319-2118

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(510) 286-1670
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E-MAIL: Assemblymember.Bonta@assembly.ca.gov

Assembly California Legislature



ROB BONTA

ASSEMBLY MEMBER, EIGHTEENTH DISTRICT

COMMITTEES
CHAIR: PUBLIC EMPLOYEES,
RETIREMENT AND SOCIAL SECURITY
APPROPRIATIONS
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH AND HUMAN SERVICES
GOVERNMENTAL ORGANIZATION
JOINT LEGISLATIVE BUDGET
JOINT LEGISLATIVE COMMITTEE ON
EMERGENCY MANAGEMENT

SELECT COMMITTEES
CO-CHAIR: STATUS OF BOYS AND MEN
OF COLOR

August 29, 2016

Scott Smithline
Director, CalRecycle
1001 I Street
P.O. Box 4025
Sacramento, CA 95814-4025

RE: Letter of Support – CalRecycle GHG Organics Grant Program

Dear Mr. Smithline:

As the representative for 18th State Assembly District, representing significant portions of Alameda County, including Oakland and San Leandro, I write to request CalRecycle fund the grant application submitted by Waste Management of Alameda County, Inc. to assist in the construction of the Organics Material Recovery Facility ("OMRF") at the Davis Street Resource Recovery Complex in San Leandro.

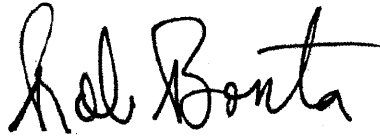
The OMRF is the belt and suspenders we need to ensure organics are diverted from our landfill. While designed to address specific zero waste goals of the City of Oakland, Waste Management is introducing technology that can help the region achieve its diversion goals and reduce greenhouse gas emissions. This \$120 million investment in District 18 will result in over \$13 million or 130,000 man hours of in-field construction labor and create over 100 full-time union jobs when functioning at full capacity. This is an enormous economic boon for a disadvantaged community with lasting environmental benefits for the larger community.

If we are to achieve the climate change goals of Governor Brown, we must invest in innovative projects like the OMRF, which is expected to capture more than 1.14 million tons of organics over a 10-year period, resulting in the estimated reduction of 740,000 tons of greenhouse gas. The OMRF is not in lieu of the curbside, three-cart system; it is an enhancement which will allow us to achieve our environmental goals sooner.

California is a leader in climate action, starting with AB 32, California Global Warming Solutions Act. We have an opportunity in funding the OMRF, to demonstrate our commitment to managing one of the most prevalent sources of GHG, organics in our landfills. Waste Management has invested millions of development hours and is poised to invest millions of dollars into the OMRF, whose proof of concept will only further California's and the region's goals.

Thank you in advance for your consideration of this application, and I appreciate both your time and your attention to this important matter. If you have any questions or need further information, do not hesitate to contact my District Office at 510-286-1670.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Bonta". The signature is fluid and cursive, with the first name "Rob" and last name "Bonta" clearly distinguishable.

Rob Bonta
Assemblymember, 18th District



Californians Against Waste

Conserving Resources. Preventing Pollution. Protecting the Environment.

June 19, 2014
Scott Smithline
Director, CalRecycle
1001 I Street – PO Box 4025
Sacramento, CA 95814-4025

**RE: Letter of Support – Waste Management Organic Material Recovery Facility
(CalRecycle Organics Grant Program)**

Dear Director Smithline:

Californians Against Waste (CAW) is in strong support of the application by Waste Management for CalRecycle's GHG Organics Grant Program.

As you are aware, our nonprofit, statewide organization has been in existence since 1977 and we are dedicated to conserving resources, preventing pollution and protecting California's environment through the development, promotion and implementation of waste reduction and recycling policies and programs. As an environmental research and advocacy organization, we work with other environmental groups to identify, develop, promote and monitor policy solutions to pollution and conservation problems posing a threat to public health and the environment.

We have been working with policy makers and regulators statewide to expedite the development of compost projects like the one being proposed by Waste Management. While we do not favor specific project developers or technologies, the concept being proposed is in alignment with our goals to provide innovative yet proven technologies that can make communities more sustainable by conserving resources and diverting organic materials from disposal.

Processing organic waste into compost and AD feedstock (like is proposed in this project) is an essential element of achieving the state's goals under AB 32, AB 1826, and SB 1383, as well as creating jobs and making a soil amendment that helps build healthy soils.

Alameda County has led the way in reducing waste, passing groundbreaking organics-diversion requirements for the country's businesses and residents, before the rest of the country. Despite their very successful efforts to require source separation of organic materials and recyclables, the county's disposal stream continues to contain unacceptably high level of methane-generating organic waste.

Development of an Organic Material Recovery Facility and composting operation at the Davis' Street Transfer station will help the region divert even more organic waste that currently goes to area landfills and emits greenhouse gases (not to mention criteria pollutants and water quality impacts), while also reducing emissions related to the transportation of this waste stream.

This is an important project to develop as the state considers what actions it needs to take to move towards zero waste and avert catastrophic climate change. The materials

management model proposed by the StopWaste and Waste Management certainly warrants further consideration.

Please feel free to contact me to discuss this projects or the broader need for organic waste diversion in California.

Sincerely,

A handwritten signature in black ink, appearing to read "N. Lapis".

Nick Lapis
Director of Advocacy

CITY OF OAKLAND



DALZIEL BUILDING • 250 Frank H. Ogawa Plaza • Suite 5301 • OAKLAND, CALIFORNIA 94612-2034
Oakland Public Works
Environmental Services Division

FAX (510) 238-7286
TDD (510) 238-3254

June 29, 2016

Scott Smithline
Director, CalRecycle
1001 I Street, PO Box 4025
Sacramento, CA 95814-4025

RE: Support for Waste Management's GHG Organics Grant Application

Dear Mr. Smithline:

The City of Oakland supports the Waste Management of Alameda County, Inc. (WMAC) application for CalRecycle GHG Organics Grant Program funding for its Organic Materials Recovery Facility (OMRF) at its Davis Street facility in San Leandro.

In 2015 the City of Oakland and WMAC entered into an innovative new franchise agreement for the collection and processing of residential and commercial mixed materials (trash) and organic materials. The agreement requires WMAC to achieve aggressive annual diversion requirements by providing, promoting and expanding source separated organic material collection services to all types of residences, including multi-family properties and apartment buildings, and to businesses and institutions.

In addition to these robust source separation efforts, WMAC is required under the agreement to process certain streams of mixed material for the recovery of organic material prior to landfill disposal. The OMRF is responsive to this requirement, and as currently designed would surpass the requirement in throughput capacity and value-added processing.

The OMRF represents critical organics processing capacity for Oakland and the East Bay region. The City of Oakland supports WMAC's application for CalRecycle GHG Organics Grant Program funding for the OMRF.

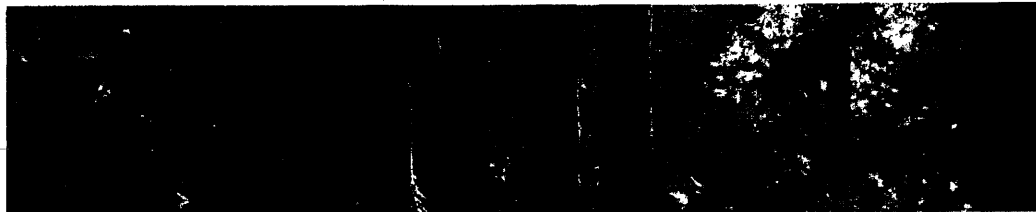
Please contact Peter Slote at 510-238-7432 or pslote@oaklandnet.com if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Becky Dowdakin".

Becky Dowdakin
Environmental Services Manager

cc: Barry Skolnick, WMAC
Karen Stern, WMAC
Shawn Tackitt, WMAC
Rebecca Parnes, WMAC
Susan Kattchee
Peter Slote



2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T: 1-888-EBPARKS F: 510-569-4319 TRS RELAY: 711 WWW.EBPARKS.ORG
February 16, 2017

Scott Smithline
Director, CalRecycle
1001 I Street, P.O. Box 4025
Sacramento, CA 95812-4025

RE: Support Letter for Waste Management's CalRecycle Organics Grant Proposal

Dear Director Smithline,

East Bay Regional Park District (EBRPD) is pleased to support Waste Management's submission to CalRecycle's 2017 Organics Grant Program for funding to purchase critical pre-processing equipment for use at a new Organic Material Recovery Facility (OMRF) located within its existing Davis Street Resource Recovery Complex.

The OMRF will complement Waste Management's three-bin collection process and Organic Material Composting Facility—to be built at the Davis Street facility in phase two of the proposed project—resulting in the largest, highest-capacity, most automated, highest-recovery, and most integrated municipal solid waste processing facility in the world. Designed to capture organic wastes that are not already diverted from landfills through existing Source Separated Organics collection programs, the proposed facility will dramatically improve organics diversion, while reducing greenhouse gas (GHG) emissions, helping California achieve its climate goals, and providing benefits to disadvantaged communities.

In addition to these benefits, we believe that the proposed project is in direct alignment with our organizational goals. EBRPD is a system of public parks and trails in Alameda and Contra Costa counties on the eastern side of San Francisco Bay. Our mission is to preserve our network of more than 120,931 acres of open space, parks, and trails for the future; an environmental ethic guides us in all that we do.

We believe that the reductions in GHG emissions and other air quality contaminants realized through the anticipated significant reductions in vehicle miles traveled by diesel-powered waste vehicles will result in immediate improvements in regional air quality—including within the boundaries of our public parks and trails. Further benefits will include the diversion of significant tonnages of both green and food waste from local landfills, resulting in even larger GHG emissions reductions.

For these reasons, we support the proposed project unreservedly and strongly encourage CalRecycle to fund Waste Management's application. If you have any questions at all about EBRPD's support, please contact me at tmargulici@ebparks.org or (510) 544-2204.

Sincerely,

Tiffany Margulici

Grants Manager

Board of Directors

Beverly Lane
President
Ward 6

Dennis Waespi
Vice-President
Ward 3

Ayn Wieskamp
Treasurer
Ward 5

Whitney Dotson
Secretary
Ward 1

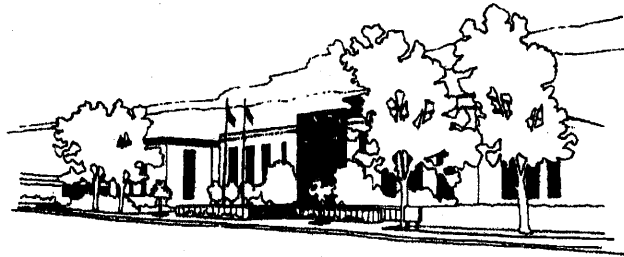
Dee Rosario
Ward 2

Ellen Corbett
Ward 4

Vacant
Ward 7

Robert E. Doyle
General Manager

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577



Office of the Mayor 510-577-3356
FAX 510-577-3340

September 23, 2016

Scott Smithline
Director, CalRecycle
1001 I Street – PO Box 4025
Sacramento, CA 95814-4025

RE: Letter of Support – CalRecycle GHG Organics Grant Program

Dear Mr. Smithline:

As the Mayor of the City of San Leandro, I am writing to support the grant application of Waste Management of Alameda County, Inc. for the construction of the Organics Material Recovery Facility ("OMRF") at the Davis Street Resource Recovery Complex in San Leandro. This project is the latest innovation in a series of ground-breaking investments Waste Management has made at the former Oyster Point Landfill.

San Leandro is proud to be the host city to the Davis Street Resource Recovery Complex. Waste Management is an engaged corporate citizen who has contributed to our economy, jobs and the environment for more than 30 years. In 2011, it built the first LEED Gold industrial building to collect organics for transfer. Most recently, it installed a natural gas fueling station for its fleet, resulting in reduced emissions and particulates in our community. This is in addition to the electric vehicle stations it installed in 2014 to encourage employee use of alternative fuel vehicles use. Waste Management has invested hundreds of millions of dollars to increase resource recovery, improve the environment and create hundreds of jobs in Alameda County.

The OMRF represents another \$120 million investment in Davis Street and the creation of over 100 full-time union jobs when the facility is operating at capacity. Aside from the economic benefit to a largely disadvantaged community, the OMRF represents a significant investment in diverting organics from our landfills. This is a landmark development which could have far-reaching implications for the region and state as jurisdictions work to meet climate change goals. As a former representative to and now-mayor of a member jurisdiction of the Alameda County Waste Management Authority, the OMRF is critical to meeting our diversion and climate change goals.

I strongly support Waste Management's application for grant funding to support the OMRF. If you have any questions, please feel free to contact me.

Sincerely,

Pauline Russo Cutter
Mayor, City of San Leandro



CAPITOL OFFICE
STATE CAPITOL
ROOM 2059
SACRAMENTO, CA 95814
TEL (916) 651-4009
FAX (916) 651-4909

DISTRICT OFFICE
1515 CLAY STREET
SUITE 2202
OAKLAND, CA 94612
TEL (510) 286-1333
FAX (510) 286-3885

SENATOR.SKINNER@SENATE.CA.GOV

California State Senate

SENATOR
NANCY SKINNER
MAJORITY WHIP
NINTH SENATORIAL DISTRICT

CHAIR
PUBLIC SAFETY
BUDGET & FISCAL REVIEW
SUBCOMMITTEE 5:
PUBLIC SAFETY & LABOR

COMMITTEES
ENERGY, UTILITIES &
COMMUNICATIONS
ENVIRONMENTAL QUALITY
TRANSPORTATION & HOUSING



March 2, 2017

Scott Smithline
Director, CalRecycle
1001 I Street, P.O. Box 4025
Sacramento, CA 95812-4025

RE: Support Letter for Waste Management's CalRecycle Organics Grant Proposal

Dear Director Smithline,

As the representative for California's 9th Senate District representing the East Bay, including the City of Oakland, I write to request that CalRecycle approve the grant application submitted by Waste Management of Alameda County, Inc. In this application, Waste Management seeks funding to purchase critical pre-processing equipment for use at a new Organic Material Recovery Facility (OMRF) located adjacent to its existing Davis Street Resource Recovery Complex.

The OMRF will complement Waste Management's Organic Material Composting Facility (OMCF)—to be built at the Davis Street facility in phase two of the proposed project—and represent the largest, highest-capacity, most automated, highest-recovery, and most integrated municipal solid waste processing facility in the world. Designed to capture organic wastes that are not already diverted from landfills through existing Source Separated Organics collection programs, the proposed facility will dramatically improve organics diversion, while reducing greenhouse gas (GHG) emissions, helping California achieve its climate goals, and providing benefits to disadvantaged communities.

By the time that the full, \$120-million facility is operational, Waste Management will have invested up to \$13 million—approximately 130,000 person-hours—of in-field construction labor into the region and created up to 100 full-time union jobs. These jobs represent an enormous economic boon for a disadvantaged community and will also provide lasting environmental benefits to the larger community.

California is a leader in climate action, starting with AB 32, the California Global Warming Solutions Act. With this project, California has an opportunity to demonstrate its commitment to managing one of the most prevalent sources of GHG emissions—organic wastes in our landfills. Waste Management has invested a considerable number of development hours into this project and is poised to invest millions of dollars into its construction. Please give this important application your highest consideration.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Skinner".

Senator Nancy Skinner
1515 Clay Street
Suite 2202
Oakland, CA 94612
Phone: (510) 286-1333



September 15, 2016

StopWaste is the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council operating as one public agency.

Scott Smithline
Director, CalRecycle
1001 I Street – PO Box 4025
Sacramento, CA 95814-4025

RE: Letter of Support – CalRecycle GHG Organics Grant Program

Dear Mr. Smithline:

I am writing in support of Waste Management of Alameda County, Inc's application for grant funding of its innovative, end-of-the-line solution to capture organics before they reach our landfills.

Member Agencies:

Alameda County

Alameda

Albany

Berkeley

Dublin

Emeryville

Fremont

Hayward

Livermore

Newark

Oakland

Piedmont

Pleasanton

San Leandro

Union City

Castro Valley
Sanitary District

Oro Loma
Sanitary District

Our current Strategic Plan goal is for landfilled material from Alameda County to be comprised of less than 10 percent "readily recyclable or compostable materials" by 2020. It is an ambitious goal supported by our Mandatory Commercial and Multi-family Recycling Ordinance and the three-stream residential collection system adopted by our 17-member jurisdictions. Diverting recyclables and compostables at the source is the focus of our outreach and enforcement efforts. However, as our 2015 Benchmark Study revealed, significant volumes of food waste are still going to our landfills.

We believe the Organics Material Recovery Facility ("OMRF") proposed by Waste Management for its Davis Street facility in San Leandro can play a vital role in helping Alameda County achieve its resource conservation goals as well as reduce greenhouse gas emissions and extend the life of our in-county landfills. An additional benefit will be the "recovery of last resort" of recyclables from the processed waste stream, bringing us closer to achieving our long-term goals.

Waste Management has long been a valued partner in our campaign to stop waste in Alameda County. We entered into an incentives-based partnership with Waste Management at the Davis Street Transfer Station to build and operate the first and most robust Construction and Demolition mixed debris recycling line in our county back in 2002, and they have been an invaluable partner in our schools outreach efforts, providing space for our Education Center classroom at Davis Street from which we provide hundreds of tours to thousands of elementary school students each year.

We believe the OMRF is an innovative step that will take us closer to reaching our diversion goals, and we heartily support Waste Management's grant application to bring this technology to Alameda County. With CalRecycle's assistance, California will be home to the most technically-advanced organics diversion efforts in the country. Thank you for your consideration.

Sincerely,

Wendy Sommer
Executive Director

1537 Webster Street
Oakland, CA 94612

p 510-891-6500

f 510-893-2308

www.stopwaste.org



Wilma Chan, SUPERVISOR, THIRD DISTRICT
ALAMEDA COUNTY BOARD OF SUPERVISORS

COMMITTEES:
Health, Chair
Personnel & Legislative
Unincorporated Services

September 7, 2016

Mr. Scott Smithline
Director, CalRecycle
1001 - I Street
P.O. Box 4025
Sacramento, CA 95814-4025

RE: Letter of Support – CalRecycle GHG Organics Grant Program

Dear Mr. Smithline:

I am writing to enthusiastically endorse the grant application of Waste Management of Alameda County, Inc. for funding of its Organics Materials Recovery Facility ("OMRF") at the Davis Street Resource Recovery Complex in San Leandro, CA.

As the Supervisor for District 3 of Alameda County, which includes San Leandro and portions of the City of Oakland, I am thrilled that Waste Management is investing intellectual and financial capital to address waste and food insecurity. The OMRF will provide one more line of defense to reduce organic waste in our landfills. Additionally, through a partnership with ALL IN, a county-wide anti-poverty initiative that I launched in 2014, Waste Management's facility will contribute to the recovery of food as an effort to reduce food insecurity. This is the type of corporate leadership that gets us closer to social and environmental goals of health and well-being, and should be encouraged through grant funding of innovations like the OMRF.


Waste Management is a member of the county-wide food recovery planning committee of ALL IN, along with the Alameda County Community Food Bank, StopWaste, Oakland Unified School District, Food Shift, Northern California Recycling Association, the Port of Oakland and other non-profits. This committee will design and implement a feasibility study that will result in a plan of action for reducing food waste in Alameda County. Waste Management is the only waste hauler in the county that has come forward to work with us to develop strategies for recovering food for consumption from various purveyors.

As part of its CalRecycle grant application, Waste Management is designating funds to provide needed capital to expand food recovery infrastructure in Alameda County. Funding from the CalRecycle grant will be used by the Alameda County Community Food Bank to add five new grocery stores to its network of rescued food providers and ensure that the rescued food is delivered to people in need within disadvantaged communities.

Aside from the obvious benefit to Alameda County's ALL IN initiative, the funding of Waste Management's OMRF project provides significant environmental benefits. It is the last line of defense to divert organics from our landfills. While I am a firm believer in the three-stream collection system adopted by the Alameda County Waste Management Authority, I am also a pragmatist. The OMRF provides one last chance to capture compostables and renegade recyclables before they are forever lost in a landfill. We have an opportunity in partnership with Waste Management to apply state-of-the-art technology to recover organics from our waste stream and repurpose them to reduce greenhouse gas emissions and create a more sustainable community.

I strongly encourage CalRecycle to award Waste Management funding for this comprehensive approach to organics diversion at all stages of the food stream. If you have any questions about the ALL IN initiative and how Waste Management's allocation of the CalRecycle grant will be used, please feel free to contact Melanie Moore, Director of ALL IN, at 510-272-6693. Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Wilma Chan', with a stylized flourish at the end.

Wilma Chan
Alameda County Board of Supervisors, District 3

Attachment

Jeffery Esquivel, Environmental Scientist
Permitting & Assistance Branch - South Unit
Waste Permitting, Compliance & Mitigation Division
Cal Recycle

Dear Mr Esquivel:

Tuesday, August 1, 2017

Please do not approve the proposed Solid Waste Facility Permit (SWFP) for the Davis Street Transfer Station.

1. DSTS Project violates the 2011 CEQA allowable limits.

The proposed DSTS project is not consistent with and violates the 2011 CEQA approval mitigating provisions. Specifically, the 2011 CEQA approval states clearly that only ***"Between 250 and 350 tpd will be composted on site, and the rest of the material will be shipped for composting off site."*** While this SWFP Project description that you are approving fails to meet this provision. This SWFP Project description instead it expands the amount of material to be composted onsite to 1000 tons per day which is about 3 times as much material to be composted at the DSTS which is well beyond what was stipulated in the 2011 CEQA approval limits.

The proposed SWFP confusingly includes a condition for the Organic Material Composting Facility (OMCF) that is erroneously limited to "producing" 350 tons of compost per day" which is not the same provision or limitation that is spelled out in the 2011 CEQA limits. Note the 2011 CEQA limits clarified specifically that it was a max of 350 tpd of feedstock material ***that could be composted*** in the OMCf ***not that 350 tpd of compost could be produced in the OMCf***. These are very different limitations from one another. It is common knowledge that 40 to 60 percent of the feedstock is converted during composting to "produce" compost. Hence 350 tpd of feedstock that is composted will equate to allowing 490 to 560 tpd of compost to be PRODUCED. The 2011 CEQA document clearly stated that only allow 250-350 tpd will be composted not that 250-350 tpd of compost will be produced!

2. The Proposed SWFP fails to list all of the CEQA documents

The SWFP fails to include the CEQA document referenced in the Transfer Processing Report (TPR) document that is referenced in the SWFP. The SWFP should reference all of the CEQA documents listed in the TPR and vis versa all of the CEQA documents listed in the SWFP should be formally listed in the TPR. This is not the case for the proposed SWFP and the TPR used in this Project. Specifically, CEQA documents that are included in the TP as attachments are not listed in the SWFP. Namely the TPR states that it

"...was updated on July 13, 2015 when the C&D Dry Waste / MMW MRF was upgraded."

There appears to have been amendments to the Master Plan Improvements adopted in Site Plan Review (PLN2010-00026) to allow for the **processing of Mixed Municipal Waste** at the DSTS. The proposed SWFP fails to include any CEQA documents that evaluate or address the processing of MMF. Clearly missing is the CEQA amendments to the Master Plan Improvements adopted in Site Plan Review (PLN 2010-00026) to allow for any MMW within the Organics Material Recycling Facility (OMRF) or anywhere. This was not in the 2011 CEQA review or approval and provisions.

They have listed specifically in the AR a CEQA document dated 7-22-2015 entitled, City of San Leandro Zoning Enforcement Official letter re: Approval of CEQA Addendum and Site Plan Review Amendment (PLN15-0024) to include Process of Multi-family Mixed Waste Materials at the Davis Street Transfer Station located at 2615 Davis Street, San Leandro, California (APN79A-475-7-20).

The Project CEQA review and documents is incomplete and the TPR is not consistent with the proposed project.

3. AD facility doesn't include fire safe penetration protection

Importantly missing is environmental review by the fire chief to include needed impact mitigations for the newly proposed AD processing facility and equipment. The proposed project appears to now include the SmartFerm patented technology from Zero Waste Energy Development (ZWED) that includes a expanding bladder roof area in which is fully exposed to the outdoors where birds and animals can climb on and chew or peck and may likely cause penetration that could release the methane capture or cause volatile explosive conditions hurting workers and DSTS visitors. The expanding bladder should therefore be fully guarded with solid caged in building materials to prohibit birds, rodents, animals, insects with sharp elements or any flying or dropping material from the troposphere that may be encountered that could penetrate the thin-walled bladder holding the methane. The project description fails to list that there are any emission controls used on the AD equipment only bio filters are listed to be installed in the OMCf building that is described to be a separate building. Air pollution controls should be included for the AD equipment that will carefully capture the methane and provide VOC, NOx and other pollution controls on the non-methane gasses.

Nowhere is it clarified how digestate will be transferred after the AD ends from the separate AD building so as not to emit more methane or VOCs into the environment.

4. Missing and fake letters of project support

The LEA has improperly included documents not received for this Proposed SWFP. Noticed Public comment period. It includes letters that were not sent to the AC DOEh for the approval of the proposed Project Proposal namely Grant letters from:

- Assemblyman ROB BONTA (9-29-2016)
- Californians Against Waste (CAW)
- City of Oakland June 29,2016
- East Bay Regional Park District (EBRPD)
- Mayor of the City of San Leandro September 23,2016
- SENATOR NANCY SKINNER (3-2-2017)
- StopWaste September 15,2016
- Wilma Chan SUPERVISOR September 7,2016

They appear to include fake letters of support when they are not letters for this proposed SWFP but look like the AC DOEh or the applicant may have inserted them as PUBLIC comment documents when they are really about a different project that was letters of support for a different past Grant that is not provided. The Applicant is not supposed to be sending in their own letter of support for their own project being reviewed. These Grant documents are written regarding a GRANT and are

not documents reviewing the proposed project for the SWFP. They should be removed from the so called response to comments document. Its outrageous that my comments of opposition are not included at all while AC DOEH has instead stacked the document with supposed letters of support from something else. Its really not proper of them. Stein submitted (June 5th 2017) comments (EXHIBIT 2) to the AC DOEH LEA have not been included in the LEA's published comments received (Exhibit 3) They were not responded to including my comments that point out that the biofilter at zankar appears not to be capturing all of the odorous VOCs since odors complaints shown in the BAAQMD presentation slides shows that the complaints rose to 3000 complaints per year after the ZWED AD was piloted and permitted.

Only yesterday did it come to my attention on my submitted public comments have not been properly posted in the same way as other comments received. Other comments received have been centrally posted into a SWIS system docket area that was made accessible and properly included in the Noticing of the permit review process however my comments have only been peripherally referenced but not made accessible or posted as all of the other public comments have been made accessible to others in the public for review and comment. Its unclear why my submitted comments have not been put into the same url zone with all of the other public comments received. SWISS database "Public Comment" document that you pointed me to in on 7/31/17 call here <http://www.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0007/Document/317752> I would appreciate if you would correct this error and provide additional public review time. I'm concerned that my public comments are being quashed and held back while other comments that were actually not sent in for this noticed process have been included.

5. Proposed SWFP fails to include DSTS relevant Air District documents

The proposed SWFP fails to list the relevant BAAQMD permit documents for this specific proposed project. The Air district has not yet completed or finalized their complete permit for this project. Cal Recycle should not approve the SWFP for this project without the completed BAAQMD permit document included in the SWFP section.

In conclusion, please do not approve this proposed SWFP for DSTS.

Sincerely,



Antoinette "Toni" Stein, PhD
Berkeley, CA
tweil@igc.org
650-823-7662
510-525-2944

